

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

DAVID HANCOCK, ET AL.,

Plaintiffs,

v.

THOMAS R. BENNING, M.D., ET AL.,

Defendants.

No. 3:10-0935

JUDGE CAMPBELL

MAGISTRATE JUDGE KNOWLES

**AGREED ORDER OF DISMISSAL AS TO
SETON CORPORATION D/B/A BAPTIST HOSPITAL**

It appears to the Court, as evidenced by the signatures of counsel for the parties below, that the parties are in agreement that the defendant, Seton Corporation d/b/a Baptist Hospital (“Baptist Hospital”), should be dismissed from this case with prejudice. Plaintiffs’ counsel filed a Certificate of Good Faith at the outset of this case verifying a good faith basis for pursuing claims against Baptist Hospital, however discovery and further expert review has revealed that there is no longer a basis for pursuing this case against this defendant. Because of this change in circumstances as a result of discovery, the Court finds that the defendant, Seton Corporation d/b/a Baptist Hospital, is not entitled to any sanctions or discretionary costs in this matter.

Accordingly, the defendant, Seton Corporation d/b/a Baptist Hospital, is hereby dismissed with prejudice. There shall be no award of sanctions or discretionary costs to Seton Corporation d/b/a Baptist Hospital as a result of this dismissal. Any award of court costs is reserved pending resolution of the plaintiffs’ claims against the remaining parties.

ENTER this 20th day of January, 2012.



U.S. DISTRICT COURT JUDGE

APPROVED FOR ENTRY:

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